

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID DAVIS,

Plaintiff,

v.

TRAVIS ROMBACH,

Defendant.

Case No. 21-10519

Honorable Shalina D. Kumar

Magistrate Judge Elizabeth A. Stafford

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 51)
AND GRANTING DEFENDANT’S MOTION FOR SUMMARY
JUDGMENT (ECF NO. 36)**

Pro se plaintiff David Davis (“Davis”) filed this civil action under 42 U.S.C. § 1983 against corrections officer Travis Rombach (“Rombach”). ECF No. 1. Davis claims that Rombach retaliated against him and was deliberately indifferent to his serious medical needs when Rombach forced him to carry his duffel bag despite having a medical accommodation due to a chronic hernia. This case was referred to the magistrate judge for all pretrial matters under 28 U.S.C. § 636(b). ECF No. 17.

Rombach filed a motion for summary judgment which was fully briefed (ECF Nos. 36, 45, 47), and the magistrate judge issued a Report and Recommendation (R&R). ECF No. 51. The R&R recommends that Rombach’s motion be granted because Davis’s claim fails to provide proof

that Rombach disregarded a known risk to his health. Neither party filed an objection to the R&R and the time to do so has passed.

The Court,¹ having reviewed the R&R, agrees with the Magistrate Judge's analysis and **ADOPTS** the R&R as the findings and conclusions of the Court. ECF No. 51.

Accordingly, **IT IS ORDERED** that Rombach's motion for summary judgment (ECF No. 36) is **GRANTED** and Davis's case is **DISMISSED**.

Dated: July 10, 2024

s/ Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge

¹ Originally assigned to Judge Bernard A. Friedman, this case was recently reassigned to the undersigned. Text-Only Order dated June 28, 2024.